

WEDNESDAY, MARCH 23, 1983

EIGHTEENTH LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Reverend S. M. Cohran, Cathedral Baptist Church, Memphis, Tennessee.

Representative Hassell led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 97

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

On motion, the House recessed for the purpose of meeting with the Senate in Joint Convention.

IN JOINT CONVENTION

The hour having arrived, set by House Joint Resolution No. 109 -

Relative to Joint Convention, Election of State Election Commission, the Senate met with the House in Joint Convention.

The Joint Convention was called to order by Mr. Speaker Wilder, President of the Joint Convention.

On motion of Senator Hamilton, the roll call of the Senate was dispensed with.

On motion of Representative Naifeh, the roll call of the House was dispensed with.

Thereupon, the Clerk of the Senate read House Joint Resolution No. 109, authorizing the Joint Convention.

Mr. President Wilder stated that the first order of business was the election of five members to the State Election Commission, and declared that nominations for one member were in order.

Representative Phillips placed in nomination the name of the Honorable Lytle Landers of Bedford County.

Senator Rucker seconded the nomination of Mr. Landers.

Representative Naifeh moved that nominations cease and that the Clerks be directed to call the roll, which motion prevailed.

The Clerk of the Senate called the roll of the Senate with the following result:

For Mr. Landers 30

The Clerk of the House called the roll of the House with the following result:

For Mr. Landers 98

Representatives voting for Mr. Landers were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter

Total Vote for Mr. Landers.128

Thereupon, Mr. President Wilder declared the Honorable Lytle Landers duly, legally and constitutionally elected to the State Election Commission for the ensuing four years, as prescribed by law.

Mr. President Wilder declared that nominations for a second member were now in order.

Senator Burleson placed in nomination the name of the Honorable Jack Seaton of Washington County.

Representative Bewley seconded the nomination of Mr. Seaton.

Representative Naifeh moved that nominations cease and the Clerks be directed to call the roll, which motion prevailed.

The Clerk of the Senate called the roll of the Senate with the following result:

For Mr. Seaton 30

The Clerk of the House called the roll of the House with the following result:

For Mr. Seaton 98

Representatives voting for Mr. Seaton were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --98.

Total Vote for Mr. Seaton128

Thereupon, Mr. President Wilder declared the Honorable Jack Seaton duly, legally and constitutionally elected to the State Election Commission for the ensuing four years, as prescribed by law.

Mr. President Wilder declared that nominations for a third member were now in order.

Senator Moore placed in nomination the name of the Honorable Clarence Blackburn of Sullivan County.

Representative Yelton seconded the nomination of Mr. Blackburn.

Representative Naifeh moved that nominations cease and that the Clerks be directed to call the roll, which motion prevailed.

The Clerk of the Senate called the roll of the Senate with the following result:

For Mr. Blackburn 30

The Clerk of the House called the roll of the House with the following result:

For Mr. Blackburn 98

Representatives voting for Mr. Blackburn: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --98.

Total Vote for Mr. Blackburn. 128

Thereupon, Mr. President Wilder declared the Honorable Clarence Blackburn duly, legally and constitutionally elected to the State Election Commission for the ensuing four years, as prescribed by law.

Mr. President Wilder declared that nominations for a fourth member were now in order.

Representative Gill placed in nomination the name of the Honorable Tommy Powell of Shelby County.

Senator Lashlee seconded the nomination of Mr. Powell.

Representative Naifeh moved that nominations cease and that the Clerks be directed to call the roll, which motion prevailed.

The Clerk of the Senate called the roll of the Senate with the following result:

For Mr. Powell. 30

The Clerk of the House called the roll of the House with the following result.

For Mr. Powell. 98

Representatives voting for Mr. Powell: Anderson, Atchley, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --98.

Total Vote for Mr. Powell 128

Thereupon, Mr. President Wilder declared the Honorable Tommy Powell duly, legally and constitutionally elected to the State Election Commission for the ensuing four years, as prescribed by law.

Mr. President Wilder declared that nominations for a fifth member were now in order.

Representative U. A. Moore placed in nomination the name of the Honorable Sonny Hartzog of Shelby County.

Senator Dunavant seconded the nomination of Mr. Hartzog.

Representative Naifeh moved that nominations cease and that the Clerks be directed to call the roll, which motion prevailed.

The Clerk of the Senate called the roll of the Senate with the following result:

For Mr. Hartzog 30

The Clerk of the House called the roll of the House with the following result:

For Mr. Hartzog 98

Representatives voting for Mr. Hartzog: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Seruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --98.

Total Vote for Mr. Hartzog.128

Thereupon, Mr. President Wilder declared the Honorable Sonny Hartzog duly, legally and constitutionally elected to the State Election Commission for the ensuing four years, as prescribed by law.

Mr. President Wilder appointed a committee composed of Senators Lewis, Chairman, Campbell, Ford, and O'Brien and Representatives Phillips, Moore (Sullivan), Gill and Bewley to escort Messrs. Landers, Seaton, Blackburn, and Powell to the Well of the House.

The Oath of Office was administered to Messrs. Landers, Seaton, Blackburn and Powell, as members of the State Election Commission by the Lt. Governor John Wilder.

Representative U. A. Moore requested that Mr. Hartzog be administered the Oath at a later date.

The purpose for which the Joint Convention was called having been accomplished, Mr. President Wilder declared the Joint Convention dissolved.

The Senate repaired to the Senate Chamber.

The House was called to order by Mr. Speaker McWherter.

On motion, the roll call was dispensed with.

CORRECTION TO JOURNAL

On March 21, 1983 (page 572), Amendment No. 1 to Senate Bill No.

71 was shown as adopted. This is in error.

Amendment No. 1 was presented and Senate Bill No. 71 was placed on the Calendar for March 23, 1983.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 389, 610, 745, 1219 and 1220; and House Joint Resolutions Nos. 18, 92, 93, 100 and 109; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 389, 610, 745, 1219 and 1220; and House Joint Resolutions Nos. 18, 92, 93, 100 and 109.

CALENDAR

House Bill No. 194--To regulate international banking activities within state.

Mr. Murphy moved that House Bill No. 194 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

A motion to reconsider was tabled.

House Bill No. 393--To allow bingo games, certain organizations.

Mr. Murphy moved that House Bill No. 393 be passed on third and final consideration.

Mr. Murphy moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 393 by deleting from the amendatory language of Section 1 the words "multiple approved locations" and substituting instead the following:

not more than two (2) approved locations regardless of whether one (1) or both of such locations are on or off the campus.

On motion, the amendment was adopted.

Thereupon, House Bill No. 393, as amended, passed its third and final consideration by the following vote:

Ayes	79
Noes	15

Representatives voting aye were: Anderson, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Frenslley, Gafford, Gaia, Gill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Smith, Starnes, Tanner, Ussery, Wallace, Webb, Whitson, Williams, Wix, Wood, Yelton and Mr. Speaker McWherter --79.

Representatives voting no were: Atchley, Byrd, Crain, Dills, Ford, Harrill, Huskey, McAfee, Nance, Robertson, Shirley, Stafford, Stallings, Turner and Wolfe--15.

A motion to reconsider was tabled.

House Bill No. 237--To regulate inheritance and gift tax.

Mr. Murray moved that House Bill No. 237 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 237 by deleting Section 3 in its entirety and by substituting instead the following:

SECTION 3. Tennessee Code Annotated, Section 30-1608 is amended by deleting the second and third sentences of subsection (f) thereof.

Tennessee Code Annotated, Section 30-1608 is further amended by substituting for the fourth sentence of subsection (f) thereof, the following:

In determining the amount qualifying for the deduction under this subsection, the limitations, restrictions, definitions, elections and requirements set out in Section 2056 (b) and (c) of the Internal Revenue Code shall be applicable to the deduction allowed by this subsection, provided that the election specified by Section 2056 (b) (7) of the Internal Revenue Code must be made to the Tennessee Department of Revenue.

Tennessee Code Annotated, Section 30-1608 is further amended by deleting the fifth sentence of subsection (f) thereof.

and further amend by deleting from Section 4 the words and figures "Prior to October 1, 1983 \$120,000.00 After September 30, 1983 and before 1984 \$275,000.00" in the amendatory language and by substituting instead the words and figures "On or after October 1, 1983 but before January 1, 1984 \$275,000.00".

and further amend by deleting from Section 6 the words and punctuation ", provided, however, that the limit of \$100,000 on the amount that may be excluded as provided in subsection (g) of Section 2039 shall apply only to estates of decedents dying after September 30, 1983." in the amendatory language and by substituting instead the punctuation ".".

and further amend by deleting from Section 7 the words "and the death of the decedent occurs after September 30, 1983" in the amendatory language thereof.

and further amend by deleting from Section 11 the words and figures "Gifts made before 1983 - the sum of \$3,000 Gifts made in 1983 - the sum of \$3,500" in the amendatory language and by substituting instead the words "Gifts made before 1984 - the sum of \$3,000".

and further amend by deleting from Section 11 the words "except that in the case of a gift made prior to January 1, 1984 the amount of the deduction shall be an amount equal to one-half of the gift," in the amendatory language and by substituting instead the punctuation ".".

and further amend by deleting Section 17 in its entirety and by substituting instead the following:

SECTION 17. This act shall be effective upon becoming law, the public welfare requiring it. Sections 1, 2, 3, 4, 5, 6, 7, 8 and 13 of this act shall apply only to estates of decedents whose

deaths occur on or after October 1, 1983; Sections 9, 10, 11, 12, and 14 of this act shall apply only as to gifts made on or after January 1, 1984.

On motion, the amendment was adopted.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 237 by deleting in the amendatory language of Section 4 the following:

"and there shall be allowed against the net estate a maximum single exemption of ten thousand dollars (\$10,000) against that portion of the estate distributable to one or more beneficiaries of Class B."

AND FURTHER AMEND by deleting in the amendatory language of Section 4 the words and punctuation "or daughter-in-law." and substituting "daughter-in-law, or any other relative, person, association or corporation."

AND FURTHER AMEND by deleting in the amendatory language of Section 4 the following:

"Class B. Any other relative, person, association or corporation not specifically designated in Class A."

AND FURTHER AMEND by deleting in the amendatory language of Section 11 the following:

"and a maximum single exemption of five thousand dollars (\$5,000) against that portion of the net gifts going to donees of Class B"

AND FURTHER AMEND by deleting in the amendatory language of Section 11 the following:

"or the aggregate net gifts made to donees of Class B for any calendar year exceed five thousand dollars (\$5,000)"

AND FURTHER AMEND by deleting in the amendatory language of Section 11 the following:

"and to each Class B donee exceeds three thousand dollars (\$3,000)"

AND FURTHER AMEND by deleting in the amendatory language of Section 11 the following:

"Class B. Any other relative, person, association or corporation not specifically designated in Class A."

AND FURTHER AMEND by deleting in the amendatory language of Section 11 the words and punctuation:

"or daughter-in-law." and substituting the following:
"daughter-in-law, or any other relative, person, association or corporation."

AND FURTHER AMEND by deleting in the amendatory subsection (a) of Section 12 the following:

"CLASS B

- 6.5 per cent on amounts from \$5,000.00 to \$50,000.00.
- 9.5 per cent on the next \$50,000.00 or part thereof.
- 12 per cent on the next \$50,000.00 or part thereof.
- 13.5 per cent on the next \$50,000.00 or part thereof.
- 16 per cent on the next \$50,000.00 or part thereof.
- 20 per cent on the excess over \$250,000.00."

AND FURTHER AMEND by deleting in the amendatory subsection (b) of Section 12 the following:

"CLASS B

- 6.5 per cent on the amount of net taxable gifts up to \$50,000.00.
- 9.5 per cent on the next \$50,000.00 or part thereof.
- 12 per cent on the next \$50,000.00 or part thereof.
- 13.5 per cent on the next \$50,000.00 or part thereof.
- 16 per cent on the excess over \$200,000.00"

AND FURTHER AMEND by adding a new Section 16 as follows and by redesignating subsequent sections accordingly:

Tennessee Code Annotated, Section 36-1610, is amended by deleting the following:

"CLASS B

If net taxable estate is:	The tax is:
Not over \$50,000	6.5% of the net taxable estate.
Over \$50,000 but not over \$100,000	\$3,250, plus 9.5% of the excess over \$50,000.
Over \$100,000 but not over \$150,000	\$8,000 plus 12% of the excess over \$100,000.
Over \$150,000 but not over \$200,000	\$14,000, plus 13.5% of the excess over \$150,000.

Over \$200,000

\$20,750, plus 16% of the
excess over \$200,000."

Mr. Murray moved that the Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes	75
Noes	20

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hurley, Huskey, Johnson, Kelley, Kent, King (Washington), Kisber, McAfee, McNally, Miller, Montgomery, Moore (Shelby), Murray, Naifeh, Nance, Napier, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--75.

Representatives voting no were: Brewer, Clark (Davidson), Cobb, Copeland, Covington, DeBerry, Dills, Dissspayne, Dixon, Gaia, Hudson, Jones, Kernell, King (Shelby), Love, Moore (Sullivan), Murphy, Owen, Robinson (Hamilton) and Wallace--20.

Mr. Burnett moved the previous question, which motion prevailed by the following vote:

Ayes	92
Noes	0
Present and not voting	4

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Dissspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--92.

Representatives present and not voting were: Brewer, Cobb, Dixon and Robertson--4.

WEDNESDAY, MARCH 23, 1983--18th LEGISLATIVE DAY

Thereupon, House Bill No. 237, as amended, passed its third and final consideration by the following vote:

Ayes	96
Noes	0
Present and not voting	2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

Representatives present and not voting were: Brewer and Dixon --2.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

House Bill No. 619--To amend Shelby County Restructure Act.

On motion, House Bill No. 619 was made to conform with Senate Bill No. 622.

On motion, Senate Bill No. 622, on same subject, was substituted for House Bill No. 619.

Mr. Jones moved that Senate Bill No. 622 be passed on third and final consideration.

Mr. Jones moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 622 by deleting in the amendatory language of Section 1 the words and punctuation:

" , as defined within the procedural resolution"

and substituting instead the following: "for purposes of this sub-part "small business" means

(a) A wholesale business if its total sales for the preceding three (3) fiscal years were less than \$3,000,000 a year.

(b) A manufacturing business if it employs less than 50 persons and the preceding three (3) fiscal years' sales were less than \$3,000,000 annually.

(c) A construction business if its total receipts within its past three (3) fiscal years within Shelby County, Tennessee were less than \$3,000,000.

(d) A janitorial or custodial service if in the preceding three (3) fiscal years its annual sales that did not exceed \$3,000,000.

(e) No other non-manufacturing concern if in the preceding three (3) fiscal years its annual sales exceeded \$3,000,000. The provisions of this sub-part shall be applied without regard to race, creed, color or national origin."

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 622, as amended, passed its third and final consideration by the following vote:

Ayes 97
Noes 0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

A motion to reconsider was tabled.

House Bill No. 508--To make certain provisions, wills and trusts.

On motion, House Bill No. 508 was made to conform with Senate Bill No. 666.

On motion, Senate Bill No. 666, on same subject, was substituted for House Bill No. 508.

Mr. Murray moved that Senate Bill No. 666 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

A motion to reconsider was tabled.

House Bill No. 221--To make certain provision delinquent tax lists.

On motion, House Bill No. 221 was made to conform with Senate Bill No. 371.

On motion, Senate Bill No. 371, on same subject, was substituted for House Bill No. 221.

Mr. Dills moved that Senate Bill No. 371 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson

(Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

Representative voting no was: Harrill--1.

A motion to reconsider was tabled.

House Bill No. 666--To make certain provisions, constables.

Mr. Dills moved that House Bill No. 666 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

House Bill No. 59--To prohibit sale, certain fowl.

Mr. Dills moved that House Bill No. 59 be passed on third and final consideration,

Mr. Pickering moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 59 by adding the words "or laboratory testing proposes" after the word "raising" and before the period in Section (a).

On motion, the amendment was adopted.

Mr. Pickering moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 59 by deleting the words "or to color, dye, stain or otherwise change the natural color" in Section 1, Subsection (a) and by substituting instead the following language: "that have been colored, dyed, stained or have otherwise had its natural color changed.

On motion, the amendment was adopted.

Mr. Hassell moved to amend as follows:

AMENDMENT NO. 3

Amend house Bill no. 59 by deleting from the amendatory language of Section 1 the words "other fowl under three (3) weeks of age" and by substituting instead the following:

"or goslings of any age"

AND FURTHER AMEND BY also deleting from the amendatory language of Section 1 the words "or other fowl" and by substituting instead the following:

", or goslings"

On motion, the amendment was adopted.

Thereupon, House Bill No. 59, as amended, passed its third and final consideration by the following vote:

Ayes	91
Noes	1
Present and not voting	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frenslley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

Representative voting no was: Chiles--1.

Representatives present and not voting were: Bragg, DeBerry and Jones--3.

A motion to reconsider was tabled.

House Bill No. 913--To provide for evidence deposition, chriopractors.

On motion, House Bill No. 913 was made to conform with Senate Bill No. 313.

On motion, Senate Bill No. 313, on same subject, was substituted for House Bill No. 913.

Mr. Gill moved that Senate Bill No. 313 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

House Bill No. 912--To regulate the practice of chiropractors.

Mr. Gill moved that House Bill No. 912 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby),

King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

A motion to reconsider was tabled.

House Bill No. 724--To set qualifications, City Court Judges, Hamilton County.

Mr. Wood moved that House Bill No. 724 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	3

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Work, Yelton and Mr. Speaker McWherter--94.

Representatives voting no were: Copeland, Harrill and Wolfe--3.

A motion to reconsider was tabled.

House Bill No. 268--To amend Section 4-15-102, Code.

Mr. Scruggs moved that House Bill No. 268 be passed on third and final consideration.

Mr. Scruggs moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 268 as follows:

Section I is amended by removing the period at the end of the proposed new subparagraph (5) and adding the following wording:

"unless the acquisition of any interest in real property by gift or devise obligates The University of Tennessee, the State University and Community College System of Tennessee, or the State of Tennessee to expend State of Tennessee funds for capital improvements or continuing operating expenditures. Further more information on such gift property will be filed with the State Building Commission and its staff."

On motion, the amendment was adopted.

Thereupon, House Bill No. 268, as amended, passed its third and final consideration by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

House Bill No. 692--To amend Title 47, Code.

On motion, House Bill No. 692 was made to conform with Senate Bill No. 117.

On motion, Senate Bill No. 117, on same subject, was substituted for House Bill No. 692.

Mr. DePriest moved that Senate Bill No. 117 be passed on third and final consideration.

Mr. Dills moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 117 by inserting the following language as a new section immediately preceding the effective date section, and by renumbering subsequent sections accordingly:

SECTION 3. The state department of agriculture shall furnish a list of all such marketing entities to each lender whose established place of business is located within seventy-five (75) miles of such lender upon request.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 117, as amended, passed its third and final consideration by the following vote:

Ayes	94
Noes	2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

Representatives voting no were: Crain and Nance--2.

A motion to reconsider was tabled.

House Bill No. 805--To make provisions, certain school systems.

Mr. Huskey moved that House Bill No. 805 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	98
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs,

Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

A motion to reconsider was tabled.

House Bill No. 246--To amend Uniform County Road Law.

On motion, House Bill No. 246 was made to conform with Senate Bill No. 278.

On motion, Senate Bill No. 278, on same subject, was substituted for House Bill No. 246.

Mr. Herndon moved that Senate Bill No. 278 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

House Bill No. 585--To establish authority, railroad services.

Mr. Robinson (Davidson) moved that House Bill No. 585 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 585 by deleting from the first sentence of Section 7 the words "purposes of this act" and by substituting instead the following:

purposes of this act; provided that condemnation of any land,

easements, or rights of way in which railroad lines are located shall be limited to such lines that are abandoned or proposed for abandonment by operating railroads in Tennessee as contained in Category I, 49CFR, Section 1121.20.

On motion, the amendment was adopted.

Thereupon, House Bill No. 585, as amended, passed its third and final consideration by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

A motion to reconsider was tabled.

House Bill No. 652--To make certain provisions, taxes on farm products.

Mr. Rhinehart moved that House Bill No. 652 be passed on third and final consideration.

Mr. Pickering moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 652 by inserting between the words "are" and "exempted", appearing in the sixteenth (16th) line of the amendatory language of SECTION 1, the following:

not

On motion, the amendment was adopted.

Mr. Stafford moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 652 by deleting Section 3 thereof in its entirety.

On motion, the amendment was adopted.

Thereupon, House Bill No. 652, as amended, passed its third and final consideration by the following vote:

Ayes 98
Noes 0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --98.

A motion to reconsider was tabled.

House Bill No. 1122--To make certain provisions, nursing home administrators.

On motion, House Bill No. 1122 was made to conform with Senate Bill No. 299.

On motion, Senate Bill No. 299, on same subject, was substituted for House Bill No. 1122.

Mr. Bragg moved that Senate Bill No. 299 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes 0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley,

Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--96.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF HOUSE BILL NO. 93

House Bill No. 93--To allow sale of alcoholic beverages, certain bowling centers.

Mr. Murphy moved that House Bill No. 93 be passed on third and final consideration.

On motion of Mr. Clark (Davidson), Amendment No. 5 was withdrawn.

Thereupon, House Bill No. 93, as amended, failed to receive a constitutional majority by the following vote:

Ayes	47
Noes	41
Present and not voting	6

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Buck, Burnett, Chiles, Cobb, Covington, Davidson, Davis (Hamilton), DeBerry, DePriest, Dixon, Drew, Elsea, Frensley, Gaia, Gill, Hudson, Jared, Johnson, Jones, Kernell, King (Washington), Love, McKinney, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Sir, Starnes, Tanner, Webb, Whitson and Work--47.

Representatives voting no were: Anderson, Atchley, Byrd, Clark (Davidson), Clark (Summer), Copeland, Davis (Pickett), Dills, Disspayne, Duer, Ford, Gafford, Harrill, Hassell, Henry, Herndon, Hillis, Hurley, Huskey, Kent, Kisber, McAfee, McNally, Miller, Moore (Shelby), Nance, Percy, Robertson, Robinson (Hamilton), Shirley, Shockley, Smith, Stafford, Stallings, Turner, Ussery, Wheeler, Williams, Wolfe, Wood and Yelton--41.

Representatives present and not voting were: Bragg, Crain, Davis (Gibson), Ellis, Kelley and Wallace--6.

Under the rules, House Bill No. 93 was re-referred to the Committee on Calendar and Rules.

House Bill No. 528--To provide for absentee voting, armed forces personnel.

Mr. Cobb moved that House Bill No. 528 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	98
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --98.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF SENATE BILL NO. 71

Senate Bill No. 71--To regulate emergency absentee ballots.

Mr. Henry moved that Senate Bill No. 71 be passed on third and final consideration.

Mr. Henry moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 71 by inserting in the amendatory language of Section 1 between the words "shall" and "be" the words "upon a showing of reasonable proof to the registrar or his deputy"

FURTHER AMEND by deleting from the amendatory language of Section 1, subpart (a), as amended, in its entirety and by substituting instead the following:

(a) Due to the death of a spouse, parent or child of a voter which would result in the voter's absence from the state or county on election day; or

On motion, the amendment was adopted.

Mr. Smith moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 71 as follows:

The provisions of this act (shall not) apply to counties having a population of not less than 315,000 nor more than 350,000 according to the federal census of 1980 or any subsequent census.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 71, as amended, passed its third and final consideration by the following vote:

Ayes	90
Noes	4
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton --90.

Representatives voting no were: Bewley, DeBerry, Jones and McAfee--4.

Representative present and not voting was: Copeland--1.

A motion to reconsider was tabled.

Mr. Rhinehart, having voted with the prevailing side, moved that the House reconsider it's action on House Bill No. 93.

After debate, Mr. Rhinehart withdrew his motion.

Mr. McKinney requested a ruling of the chair as to the validity of the final roll call on House Bill No. 93.

RULING OF CHAIR

Mr. Speaker pro tem Brewer ruled that the 47-41-6 roll call on House Bill No. 93 was correct, an earlier roll call having been

invalidated and discarded.

Messrs. McKinney, Cobb, Ellis, Murphy and Chiles challenged the Ruling of the Chair and requested that the invalidated roll call be spread upon the Journal.

INVALIDATED ROLL CALL ON HOUSE BILL NO. 93

Ayes	64
Noes	25
Present and not voting	1

Representatives voting aye were: Bell, Bewley, Bivens, Burnett, Chiles, Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Drew, Ellis, Elsea, Ford, Frensley, Gaia, Gill, Hassell, Henry, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, Miller, Montgomery, Moore (Shelby), Murphy, Murray, Naifeh, Napier, Owen, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Sir, Stafford, Starnes, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Work, Yelton and Mr. Speaker McWherter--64.

Representatives voting no were: Atchley, Byrd, Clark (Davidson), Clark (Sumner), Copeland, Davis (Pickett), Disspayne, Duer, Gafford, Harrill, Herndon, Huskey, Kent, McAfee, McNally, Nance, Percy, Robertson, Robinson (Hamilton), Shirley, Shockley, Stallings, Turner, Wolfe and Wood--25.

Representative present and not voting was: Buck--1.

Mr. Speaker McWherter resumed the Chair.

Mr. Copeland moved that the Ruling of the Chair be sustained.

Mr. Wallace moved the previous question, which motion prevailed by the following vote:

Ayes	79
Noes	7

Representatives voting aye were: Anderson, Atchley, Bewley, Bivens, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), Disspayne, Dixon, Duer, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Johnson, Kent, Kernell, King (Washington), Kisber, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Turner,

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Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood and Yelton--79.

Representatives voting no were: Chiles, DeBerry, Drew, Ellis, Murphy, Rhinehart and Tanner--7.

Thereupon, the motion to sustain the ruling of the chair prevailed by the following vote:

Ayes	51
Noes	33
Present and not voting	4

Representatives voting aye were: Anderson, Atchley, Bivens, Buck, Byrd, Clark (Sumner), Copeland, Crain, Davis (Gibson), Davis (Pickett), Disspayne, Dixon, Duer, Ford, Frensley, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hurley, Huskey, Kent, Kernell, McAfee, McNally, Miller, Montgomery, Moore (Shelby), Nance, Percy, Robertson, Robinson (Davidson), Robinson (Hamilton), Shirley, Shockley, Smith, Stafford, Stallings, Turner, Ussery, Wallace, Wheeler, Whitson, Williams, Wix, Wolfe, Wood and Yelton--51.

Representatives voting no were: Bell, Bewley, Burnett, Chiles, Cobb, Covington, Davidson, Davis (Hamilton), Drew, Ellis, Elsea, Gafford, Hudson, Jared, Johnson, King (Washington), Love, McKinney, Moore (Sullivan), Murphy, Murry, Nalfah, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Washington), Scruggs, Severance, Sir, Starnes, Tanner and Webb--33.

Representatives present and not voting were: Bragg, Clark (Davidson), Kisber and Owen--4.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

661--To amend Section 67-3028, Code;

827--To define legally deaf; both passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No.:

66--Relative to honoring former Senator and Mrs. Ben W. Hooper,

II; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

House Bill No. 489--To amend Section 67-3028, Code.

On motion, House Bill No. 489 was made to conform with Senate Bill No. 661.

On motion, Senate Bill No. 661, on same subject, was substituted for House Bill No. 489.

Mr. Robertson moved that Senate Bill No. 661 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	98
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frenslley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --98.

A motion to reconsider was tabled.

House Bill No. 778--To define "legally deaf" person.

On motion, House Bill No. 778 was made to conform with Senate Bill No. 827.

On motion, Senate Bill No. 827, on same subject, was substituted for House Bill No. 778.

Mr. Scruggs moved that Senate Bill No. 827 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell,

Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

A motion to reconsider was tabled.

CONSENT CALENDAR

House Joint Resolution No. 108--Relative to congratulating Cocke County High School girls' basketball team.

House Bill No. 1229--To levy tax on lodgings, certain counties.

House Bill No. 1230--To create expense allowance for judge, Sequatchie County.

House Bill No. 1231--To provide for general sessions court, Madison County.

House Bill No. 1215--To amend charter, White Bluff.

On motion, House Bill No. 1215 was made to conform with Senate Bill No. 1015.

On motion, Senate Bill No. 1015, on same subject, was substituted for House Bill No. 1215.

House Bill No. 1214--To increase compensation, clerical staff, Claiborne County road department.

House Bill No. 820--To regulate duties, certain city judges.

Mr. Gill moved that all House and Senate Bills on the Consent Calendar be passed on third and final consideration, and the House Joint Resolution on the Consent Calendar be adopted, which motion prevailed by the following vote:

Ayes	98
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark

(Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --98.

A motion to reconsider was tabled.

Mr. Frensley moved that the rules be suspended for the purpose of introducing House Bill No. 1237 out of order, which motion prevailed.

INTRODUCTION OF BILL

House Bill No. 1237--To extend hotel-motel tax, Williamson County--By Frensley and Chiles.

Passed first consideration.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 264--To allow sale of alcoholic beverages, certain passenger boats.

SENATE AMENDMENT NO. 2

Amend House Bill No. 264 by adding at the end of the amendatory language of Section 2 the following:

Provided, however, no commercial passenger boat company licensed pursuant to this chapter shall sell any type of alcoholic beverage or beer while such boat is docked in any county which has not approved the sale of alcoholic beverages pursuant to Tennessee Code Annotated, Section 57-3-106 and 57-4-103.

Mr. Kent moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes	70
Noes	22
Present and not voting	1

Representatives voting aye were: Anderson, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Chiles, Clark (Davidson), Clark (Sumner), Cobb,

Copeland, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Hassell, Herndon, Hudson, Jared, Johnson, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sir, Smith, Starnes, Tanner, Ussery, Webb, Wheeler, Whitson, Williams, Work, Yelton and Mr. Speaker McWherter --70.

Representatives voting no were: Atchley, Byrd, Crain, DeBerry, Dills, Harrill, Henry, Hillis, Hurley, Huskey, Jones, McAfee, Nance, Percy, Pruitt, Shirley, Shockley, Stallings, Turner, Wallace, Wolfe and Wood--22.

Representative present and not voting was: Stafford--1.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 333--To require public service commission be notified, certain ordinances.

SENATE AMENDMENT NO. 1

Amend House Bill No. 333 by deleting from Section 3 the word "forthwith" and by substituting instead the language "within seven (7) days".

SENATE AMENDMENT NO. 2

Amend House Bill No. 333 by deleting Section 6 in its entirety and by substituting instead the following:

SECTION 6. This act shall take effect on July 1, 1983, the public welfare requiring it.

Mr. Bewley moved that the House concur in Senate Amendments Nos. 1 and 2, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh,

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Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

Mr. Brewer moved that the rules be suspended for the purpose of introducing House Resolution No. 20 out of order, which motion prevailed.

House Resolution No. 20--Relative to honoring Mr. and Mrs. Noble Gatlin--By Brewer.

Mr. Brewer moved that the rules be suspended for the immediate consideration of House Resolution No. 20, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Clark (Sumner) moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 114 out of order, which motion prevailed.

House Joint Resolution No. 114--Relative to congratulating Beech High School boys' basketball team--By Clark (Sumner).

Mr. Clark (Sumner) moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 114, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

MOTIONS

On motion of Ms. Moore (Sullivan), House Bill No. 999 was recalled from the Committee on Education.

On motion of Ms. Moore (Sullivan), House Bill No. 999 was referred to the Committee on Judiciary.

On motion of Mr. Brewer, House Bill No. 733 was withdrawn from the House.

NOTICE PURSUANT TO RULE NO. 57

Pursuant to Rule No. 57, the sponsor gave notice of his intention to consider the following measure from the Senate on

Thursday, March 24, 1983:

House Bill No. 183--Murphy

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

768--To permit buying and selling, hides and pelts; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

270--To amend Financial Responsibility Law;

691--To make certain provisions, veterinarians;

1225--To make provisions, Jackson and Madison County Hospital District;

1226--To regulate purchasing, Madison County; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SECOND ROLL CALL

The roll call was taken with the following results:

Present 96

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb,

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Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

RESOLUTIONS LYING OVER

Senate Joint Resolution No. 48--Relative to recreational use, Ocoee River.

The Speaker referred Senate Joint Resolution No. 48 to the Committee on Conservation and Environment.

Senate Joint Resolution No. 49--Relative to congratulating Patricia Walker Shaw.

Under the rules, Senate Joint Resolution No. 49 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 50--Relative to gasoline tax, mass Transit systems.

The Speaker referred Senate Joint Resolution No. 50 to the Committee on Transportation.

Senate Joint Resolution No. 54--Relative to appreciation, William B. Sansom.

Under the rules, Senate Joint Resolution No. 54 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 55--Relative to congratulating Nashville Network, premiere.

Under the rules, Senate Joint Resolution No. 55 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 59--Relative to congratulating Farragut High School.

Under the rules, Senate Joint Resolution No. 59 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 60--Relative to commending Hubert L. McCullough, Jr.

Under the rules, Senate Joint Resolution No. 60 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 61--Relative to honoring Mrs. Penny Pebley.

Under the rules, Senate Joint Resolution No. 61 was referred to the Committee on Calendar and Rules.

INTRODUCTION OF RESOLUTIONS

House Resolution No. 19--Relative to study, management of forestlands--By DePriest and Hillis.

The Speaker referred House Resolution No. 19 to the Committee on Conservation and Environment.

House Joint Resolution No. 110--Relative to congratulating Mt. Juliet High School girls' basketball team--By Bell and Disspayne.

Under the rules, House Joint Resolution No. 110 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 111--Relative to memory, Deputy Dennis Armes--By Henry, Duer and McNally.

Under the rules, House Joint Resolution No. 111 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 112--Relative to recognizing A. Maceo Walker, Sr.--By Jones and DeBerry.

Under the rules, House Joint Resolution No. 112 was referred to the Committee on Calendar and Rules.

INTRODUCTION OF BILLS

House Bill No. 1234--To amend Charter, Dunlap--By Rhinehart.

Passed first consideration.

House Bill No. 1235--To create Litigation Tax, Monroe County--By Harrill.

Passed first consideration.

House Bill No. 1236--To regulate industrial loan and thrift companies--By Smith.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 177--To regulate jurisdiction, General Sessions Courts.

Passed first consideration.

Senate Bill No. 193--To regulate investments, domestic life insurance companies.

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Passed first consideration.

Senate Bill No. 245--To make appropriation, certain charges, interest bearing accounts.

Passed first consideration.

Senate Bill No. 260--To regulate jurisdiction, Court of General Sessions.

Passed first consideration.

Senate Bill No. 293--To regulate offense, aggravated rape.

Passed first consideration.

Senate Bill No. 453--To regulate interest, delinquent taxes.

Passed first consideration.

Senate Bill No. 640--To provide identification devices, off-highway motor vehicles.

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 1232--To authorize litigation tax, Haywood County.

Passed second consideration and held without reference.

House Bill No. 1233--To expand membership, Higher Education Commission.

Passed second consideration and referred to Committee on Education.

REPORTS FROM STANDING COMMITTEES

AGRICULTURE

MR. SPEAKER: Your Committee on Agriculture begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 827 (with amendment) and 1126.

PICKERING, Chairman.

Under the rules, House Bills Nos. 827 and 1126 were transmitted to the Committee on Calendar and Rules.

COMMERCE

MR. SPEAKER: Your Committee on Commerce begs leave to report that we have carefully considered and recommend for passage: House

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Bills Nos. 304, 316, 317 (with amendment), 577, 799 (with amendments), 879, 888, 897 (with amendment), 1137, 1138, 1168 (with amendments), 1184 (with amendment) and 1185 and further recommend that pursuant to House Rule No. 70, House Bill No. 1137 be referred to the Committee on Finance, Ways and Means.

MURRAY, Chairman.

Under the rules, House Bills Nos. 304, 316, 317, 577, 799, 879, 888, 897, 1138, 1168, 1184 and 1185 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 70, the Speaker referred House Bill No. 1137 to the Committee on Finance, Ways and Means.

CONSERVATION AND ENVIRONMENT

MR. SPEAKER: Your Committee on Conservation and Environment begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 896, 901 (with amendment) and 945 (with amendment) and further recommend that pursuant to House Rule No. 70, House Bill No. 896 and 945 be referred to the Committee on Finance, Ways and Means.

HILLIS, Chairman.

Under the rules, House Bill No. 901 was transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 70, the Speaker referred House Bills Nos. 896 and 945 to the Committee on Finance, Ways and Means.

EDUCATION

MR. SPEAKER: Your Committee on Education begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 526, 531, 533, 568 (with amendment), 637 (with amendment), 675 (with amendment), 697 (with amendment), 930, 1012 (with amendment), 1029, 1066 and 1098 and further recommend that pursuant to House Rule No. 70, House Bill No. 526, 531, 533, 697 (with amendment), 1029 and 1098 be referred to the Committee on Finance, Ways and Means.

WORK, Chairman.

Under the rules, House Bills Nos. 568, 637, 675, 930, 1012, and 1066 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 70, the Speaker referred House Bills Nos. 526, 531, 533, 697, 1029 and 1098 to the Committee on Finance, Ways and Means.

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 75, 156, 283, 440, 458, 527, 971 (with amendment) and 1165.

BRAGG, Chairman.

Under the rules, House Bills Nos. 75, 156, 283, 440, 458, 527, 971 and 1165 were transmitted to the Committee on Calendar and Rules.

GENERAL WELFARE

MR. SPEAKER: Your Committee on General Welfare begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 536, 575 (with amendment), 683, 918 (with amendment), 1018, 1055 (with amendment), 1117, 1127, 1129 (with amendment), 1136, 1160, 1167 (with amendment) 1195 (with amendment) and 1211 and further recommend that pursuant to House Rule No. 70, House Bills Nos. 575 (with amendment) and 1167 (with amendment) be referred to the Committee on Finance, Ways and Means.

STARNES, Chairman.

Under the rules, House Bills Nos. 536, 683, 918, 1018, 1055, 1117, 1127, 1129, 1136, 1160, 1195 and 1211 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 70, the Speaker referred House Bills Nos. 575 and 1167 to the Committee on Finance, Ways and Means.

GOVERNMENT OPERATIONS

MR. SPEAKER: Your Committee on Government Operations begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 33 (with amendment), 128, 818, 906, 1008, 1192 and 1204, and House Joint Resolution No. 84.

DAVIS (Hamilton), Chairman.

Under the rules, House Bills Nos. 33, 128, 818, 906, 1008, 1192 and 1204, and House Joint Resolution No. 84 were transmitted to the Committee on Calendar and Rules.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 76 (with amendment), 85 (with amendment), 223, 419 (with amendment), 491 (with amendment), 496 (with amendment), 578, 720, 722,

741, 758, 771, 781, 803, 839, 860, 865, 869, 880, 925, 1043 and 1071.

MURPHY, Chairman.

Under the rules, House Bills Nos. 76, 85, 223, 419, 491, 496, 578, 720, 722, 741, 758, 771, 781, 803, 839, 860, 865, 869, 880, 925, 1043 and 1071 were transmitted to the Committee on Calendar and Rules.

LABOR AND CONSUMER AFFAIRS

MR. SPEAKER: Your Committee on Labor and Consumer Affairs begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 201, 203, 298, 668 (with amendment), 669, 983, 1135 (with amendment), 1155 (with amendment), 1176 (with amendment), 1178 and 1179 and further recommend that pursuant to House Rule No. 70, House Bill No. 203, 983, 1135 and 1178 be referred to the Committee on Finance, Ways and Means.

ELLIS, Chairman.

Under the rules, House Bills Nos. 201, 298, 668, 669, 1155, 1176 and 1179 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 70, the Speaker referred House Bill No. 203, 983, 1135 and 1178 to the Committee on Finance, Ways and Means.

STATE AND LOCAL GOVERNMENT

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 342 (with amendment), 373, 392 (with amendment), 673 (with amendment), 826 (with amendment), 843, 853, 854, 859, 870, 984, 1009, 1015 (with amendment) and 1208 and further recommend that pursuant to House Rule No. 70, House Bills Nos. 392, 826 and 1208 be referred to the Committee on Finance, Ways and Means.

MILLER, Chairman.

Under the rules, House Bills Nos. 342, 373, 673, 843, 853, 854, 859, 870, 984, 1009 and 1015 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 70, the Speaker referred House Bills Nos. 392, 826 and 1208 to the Committee on Finance, Ways and Means.

TRANSPORTATION

MR. SPEAKER: Your Committee on Transportation begs leave to report that we have carefully considered and recommend for passage:

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House Bills Nos. 545, 654, 676, 878, 1058 and 1180.

ROBINSON (Davidson), Chairman.

Under the rules, House Bills Nos. 545, 654, 676, 878, 1058 and 1180 were transmitted to the Committee on Calendar and Rules.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

320--To amend Section 54-7-104, Code;

66--To continue Ladies' Hermitage Association; both substituted for Senate Bills on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Thursday, March 24, 1983: House Bills Nos. 463, 466, 468, 972, 634, 395, 776, 787, 1181, 1194, 1182, 1183, 916, 624, 890, 506, 361, 359 and 871.

GILL, Chairman.

LOCAL BILLS REFERRED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 49, 1223 and 1232.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Thursday, March 24, 1983: House Bills Nos. 1223, 49; House Joint Resolutions Nos. 110, 111, 112; Senate Joint Resolutions Nos. 49, 54, 55, 59, 60 and 61; and House Bills Nos. 1232 and 522.

GILL, Chairman.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

576--To amend Section 49-3237, Code; substituted for Senate Bill on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 59, 194, 237, 268, 393, 528, 585, 652, 666, 724, 805, 820, 912, 1214, 1229, 1230 and 1231; and House Joint Resolutions Nos. 108 and 114; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

309--To regulate production, fuel alcohol;

728--To regulate certain state programs, reduction, federal financial support;

1009--To regulate baiting, fields; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

384--To regulate examination of witnesses;

387--To regulate number of copies, certain publications;

457--To enact Tennessee Public Obligations Registration Act;

459--To regulate certain obligations issued by State;

517--To regulate property tax relief;

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687--To regulate policies governing student attendance;

729--To regulate student assistance;

733--To enact Tennessee Cancer Reporting System Act;

782--To amend Medical Assistance Act;

793--To regulate purchase, state surplus property;

862--To regulate registration, architects;

885--To regulate Rutherford Special School District, Gibson County;

899--To regulate membership, Pest Control Board;

965--To prohibit discrimination, handicapped persons, consumer credit;

968--To create State Board of Examiners for Registered Professional Environmentalists;

993--To provide certain notice, Tennessee Wildlife Resources Agency;

1143--To amend Charter, Humboldt; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

On motion of Mr. Naifeh, the House adjourned until 10:00 A.M. tomorrow.